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U·S AIRWAYS

OFFICE OF THE  
CHIEF COUNSEL  
RULES DOCKET

September 18, 2000

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Rules Docket (AGC-10)  
Federal Aviation Administration  
800 Independence Avenue  
Washington, D.C. 20591

FAA-00-8185-1

To Whom It May Concern:

In accordance with Federal Aviation Regulations (FAR) Section 11.25, US AIRWAYS Inc. hereby petitions the Administrator for an Exemption or other regulatory relief, to the extent necessary to permit the line check requirement of FAR 121.440 to be met by an alternative line check program.

US AIRWAYS recognizes and endorses the current industry trend toward Crew Resource Management (CRM) as an effective method of improving aviation safety. US AIRWAYS proposed alternative program will shift some of its current resources allocated to the traditional line check program to provide greater emphasis on effective CRM techniques among its crew members. This exemption, when approved, would permit US AIRWAYS to reduce the line checks of its PICs by 50 percent in a given year. During each PIC line check, the performance of the entire crew as a unit will be evaluated using CRM crew performance indicators specially designed to evaluate US AIRWAYS flight crews. In addition, US AIRWAYS will ensure that no PIC will go more than 24 months without a line check, and that all PICs will get a line check in their first year as Captain.

US AIRWAYS believes that performing a line check at random intervals will enhance the overall quality of the current line check program. Under a random program, there would be no advance knowledge on the part of the PIC that a check is about to be given. Random line checking will also increase utilization and efficiency of the check airman staff by allowing the use of positioning and depositioning legs to conduct spot line checks instead of the deadheading required under the traditional line check program.

### Sections of the FAR affected

Section 121.440, paragraphs (a) and (b) (2) state:

- (a) No certificate holder may use any person, nor may any person serve as pilot In command of an airplane unless, within the preceding 12 calendar months, that person has passed a line check in which he satisfactorily performs the duties and responsibilities of a pilot in command in one of the types of airplane he is to fly.
- (b) (2) A pilot in command line check for domestic and flag air carrier pilots must consist of at least one flight over a typical part of the air carrier's route, or over a foreign or federal airway, or over a direct route.



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### **Background**

The annual PIC line check has been a regulatory requirement for many years. In a major revision of Civil Air Regulations Part 40, adopted on April 13, 1953, the Civil Aeronautics Board (CAB) noted: "Provisions for a line check are included as a means of requiring the carrier to ascertain that the training provided the pilot is reflected in typical route operations." Those provisions were included in CAR Section 40.302, and though clarifying changes have occurred since, the basic annual PIC line check requirement remains the same today in FAR 121.440.

The key feature of the Advanced Qualification Program (AQP) is the application of a "crew concept" approach in training and line evaluations. Crew concept at US AIRWAYS includes the application of Crew Resource Management (CRM) principles. However, the requirements associated with the current line check program clearly focus on the entire check on the PIC. Under our proposal, the other cockpit crewmember will receive an equal level of attention. We strongly believe the requirement to line check each PIC every year is obsolete, inadequate, and dated with respect to achieving the purpose intended.



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**Discussion of proposed alternative line check program**

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US AIRWAYS experience through many years of performing an annual PIC line check has shown there is little evidence that supports the value of a program that checks every PIC annually. We believe there is greater value to increasing line check frequency to pilots who have demonstrated a need for greater scrutiny. One such group of pilots are those who are serving for the first time as captain at US AIRWAYS. Another group of pilots who need greater evaluation are those who have failed to meet a minimum standard during a proficiency check, LOE, or line check. US AIRWAYS identifies these pilots through a "Special Tracking" program. In addition to these two groups, a random sampling of remaining PICs should be entirely sufficient to validate the efficiency of training as it relates to line operations. US AIRWAYS will assure a statistically valid sampling system is used to ensure its line check and CRM evaluations are conducted on all aircraft fleet types on routes typically flown by that aircraft.

US AIRWAYS proposes the Exemption to FAR 121.440, paragraph (a), Condition and Limitation No.5, be replaced with the following:

5. US AIRWAYS shall ensure that 50% of its PICs are given a line check each calendar year. In addition to that group of PICs, all PICs in their first year as captain at US AIRWAYS and all PICs in US AIRWAYS "Special Tracking" program will be given line checks. PICs on special tracking will be given line checks as appropriate but not less than once each 12 months. Additional selected PICs will be given line checks throughout the year in a comprehensive program that ensures line checks are conducted on all aircraft fleet types consisting of at least one segment over a typical route flown by that aircraft. Although only 50% of PICs must be checked in any given year, US AIRWAYS will ensure that the time interval between PIC line checks for any given individual PIC will not exceed 24 months. Additionally, crew resource management skills will be evaluated for the entire crew to include SICs.



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### **No adverse affect on safety**

FAR Section 11.25 requires an exemption petition to show why the exemption would not adversely affect safety, or how the petitioner would provide a level of safety equal to or exceeding that provided by the rule from which the exemption is sought.

The intent of the rule from which US AIRWAYS petitions for exemption is to "provide a means of requiring the carrier to ascertain that the training provided the pilot is reflected in typical route operations." Since the adoption of the rule, both the FAA and the industry have become much more sophisticated in their ability to make such determinations.

Moreover, we all have learned that it is important to make those determinations on other basis, not just on the basis of checking the PIC alone. It is universally acknowledged that crew performance is the key to flight safety and the avoidance of mishaps.

US AIRWAYS proposed alternative line check program would concentrate supervisory resources in areas known to be most important for enhancing flight safety.

The PICs not given a line check in any given year under the alternative program are in a group that has proven through experience and data collection not to need a line check every year. Because of its comprehensive nature, US AIRWAYS strongly believes its' proposed alternative line check program will provide a level of safety much greater than that provided by the rule from which exemption is sought. Lest there be concern that granting the exemption would remove some last and only opportunity to annually check each PIC, it should be noted that each PIC, as well as all other flight crew members are checked each year with a proficiency check/maneuver validation, and RLF/LOE. These simulator events are the real proficiency filter. Moreover, a FAA inspector observes each new PIC during operating experience following an advanced simulator-training program. Also, FAA inspectors conduct line checks without limit and completely at the FAA's discretion. Finally, the provision, which precludes any PIC from exceeding 24 months without a line check, will ensure that all PICs are line checked regularly.



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### Public Interest

FAR Section 11.25 also requires that the petitioner for an exemption show why the granting of the request would be in the public interest.

The conduct of a PIC line check is a supervisory task that requires a supervisor-to-employee ratio of one to one. In other words, it is a task that is highly manpower intensive. Economic realities and good business practice require a continuing effort to improve efficiency. The cost of conducting business is borne by the customer. Therefore, it is in the public interest to operate as efficiently as possible, thereby controlling the costs of air transportation. Not only will US AIRWAYS proposed alternative line check program help control costs, but a well-targeted program which includes a focus on crew coordination is expected to pay safety dividends which is always in the public interest and a high priority of the traveling public.

### Summary

US AIRWAYS petitions for an exemption or other appropriate regulatory relief to permit an alternative line check program to that required by FAR Section 121.440. The proposed alternative line check program will provide a level of safety equivalent to or greater than current line check methods, and focus additional effort on monitoring overall crew performance.

Please advise if there is additional information required for consideration of this petition.

Sincerely,

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Vice President, Flight Operations

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Director, Flight Training & Standards

CC:

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